



Provision of Consultancy Services to Conduct **trapca
Forward Looking Case Study**

August 2022

Table of Contents

1. trapca Introduction	3
1. Background and Context.....	3
2. Overall Objective.....	5
3. Specific Objectives.....	5
4. Scope of Work.....	6
5. Methodology	6
6. Roles and Responsibilities	7
7. Deliverables	7
9. Time Frame for the Assignment.....	8
10. Evaluation Criteria.....	8
11. Review Procedure / Monitoring.....	8
12. Qualifications and experience	8
13. Evaleration of Proposals	9
14. Reporting	9

Terms of Reference

1. **trapca** Introduction

The Trade Policy Training Centre in Africa (**trapca**) was established in December 2006 as a Centre of the Eastern and Southern Africa Management Institute (ESAMI), which is an intergovernmental institute that is ISO certified. Particularly, **trapca** was established as a specialised Centre with the mandate of providing training and technical expertise on trade issues to professionals in African countries. Situated in Arusha, **trapca** is owned by ESAMI and in partnership with Lund University in Sweden.

As a specialised trade policy and trade law training Centre, **trapca** aims to bring new perspectives to world trade, inspire the creation of networks and develop competencies to strengthen the capacity of countries to engage in multilateral, regional and bilateral trading systems in sub-Saharan countries. The key programme objective is to attain improved trade policy capacity. This will enable the countries to develop trade policy strategies to negotiate for the countries' more beneficial trade policy agreements, thus contributing to increased international and regional trade.

trapca courses are modelled in a way that enables African countries to reap the benefits of globalisation and international trade by building competencies in trade related issues. **trapca** offers the following capacity building programmes in the area of trade policy, trade law and trade facilitation -:

- a) International trade and Development which is an entry level foundation course commonly known as TRP 400.
- b) Advanced courses that also known as TRP 500 courses that can lead to a Masters' degree programme in International Trade Policy and Trade Law.
- c) international, regional, and national tailor-made programmes; which are designed to address clients' specific needs in trade policy, trade law and trade facilitation. This is exemplified by tailored executive courses offered to select African Countries to build their capacity on AfCFTA Phase II issues negotiations and Phase I issues implementation.

The strategic response to the identified African capacity needs on trade is anchored on **trapca**'s vision to be a centre of excellence in Trade Policy and Trade Law in Africa. This is driven by the mission to build capacities of African countries for effective integration at policy development, negotiations, implementation, and enforcement processes of international trade. In line with this, to reinforce the continued relevance of its strategic responses to Africa's capacity needs, **trapca** wishes to commission a study aimed at addressing this aspiration.

1. Background and Context

trapca has focused its efforts on building long-lasting and sustainable solutions to economic challenges and aspirations of indigent sub-Sahara African Countries based on a needs assessment. The main capacity challenges identified from the needs analysis include: the limited negotiation skills, limited domestication, policy design coupled with weak capacity to

implement and enforce obligations under the trade agreements entered into by African countries.

The dynamics in the trade regime coupled with climate change and geopolitical tectonics imply that the skillset of the trade analysts, decision-makers and practitioners will keep shifting. This is amplified by the rapid technological changes that are shaping communication modes, nature of transactions, finance, tastes and preferences, competitiveness of products, price regulations, and policy regulations. Organisations and governments are already embracing new technologies and mainstreaming sustainability as part of their development strategy. Smart technologies are shaping the sustainability imperatives that characterise government interventions and enterprise strategies translating to more sustainable supply chains, value chains and resilience. The scale of emerging challenges and vulnerabilities facing the poorer countries such as food security exacerbated by climate change, global ecosystems that foster collaborative arrangements will define how innovative solutions will be generated. Skills development that resonates with these dynamics is going to be needed more than ever going by the experience of the disruptions arising from the Covid-19 pandemic.

Governments need to coordinate across institutions and with the private sector. Technologies that both preserve privacy and permit real time data sharing are shaping the way governments store data for analysis, craft strategies and implement policies. This will have profound implications for supply chains and trade outcomes. As digital transformation refocuses to meeting the unique strategic and operational needs of each sector, organisations will redirect precious resources to critical areas of strategy and competitive advantage. Block chain and distributed ledger technologies are fundamentally changing the nature of doing business and helping enterprises identify how to manage identity, data, brand, copyrights, and other digital assets. This will necessitate governments to come up with clear regulations but also identify better ways to utilize these technologies to improve operational efficiency, facilitate supply chains and enhance productivity. This is evidenced by increased automation of government and business process and increasing prominence of ecommerce.

The skills and competences of trade officials and practitioners in the next ten years may be very different from the skillset currently being addressed by the trapca programs given the foregoing dynamics. This implies that capacity building services providers have to be forward thinking in the type and content of the capacity interventions they develop for their target stakeholders. As a capacity building service provider, trapca is intricately immersed in these dynamics and requires a forward-thinking strategy that assures the relevance of the services it will continue to provide. To assure relevance of content, a survey and analysis of the potential capacity needs in the next ten years and beyond is urgently needed.

It is against this background that a forward-looking study is needed to provide content and context that align with how these dynamics are shaping the immediate and short-term future. The foregoing has implications on trade policy stance, regulations, integration pathways and outcomes, intellectual property rights and trade facilitation outcomes. Skills development that fosters innovative solutions to support the implementation of sustainable production and trading activities is required. The study is supposed to tease out dimensions that shape curriculum development for the **trapca** courses.

ESAMI is now seeking the services of competent individuals, firms, or teams to conduct a forward-looking study that informs the development of **trapca**'s capacity building programmes

and enhances relevance of content to make trapca a go to Centre with respect to trade-related capacity building in the coming years.

2. Overall Objective

The overall objective of the study is to analyse and identify required skills and competences by trade professionals and practitioners in the coming ten years. In this context, the study is aimed at identifying emerging skillsets required by African governments, private sector, civil society and think tanks involved in trade and trade related issues that address emerging challenges with innovative solutions. The study will provide critical information and analysis on the trends in trade policy and expected capacity gaps in Africa taking into account existing multilateral, continental, regional, plurilateral and bilateral agreements for which African countries are signatory to and emerging trade related issues. In line with this, and taking into account that all but a few African countries are bound by the WTO agreements, under the multilateral arena, the study has to highlight capacity gaps emanating from issues relating to ongoing and emerging negotiation issues under the WTO such as: e-commerce; investment facilitation; trade facilitation; facilitation of Micro, Small and Medium Enterprises; transparency mechanisms under the TBT Agreement; the SPS Agreement and Food Security; Agreement on Fisheries Subsidies; WTO TRIPS Agreement under flexibilities thereunder; just to mention a few. At the continental level, target countries have to put in place mechanisms to implement the AfCFTA agreement. This is coupled with a plethora of regional agreements, bilateral agreements and plurilateral agreements such as EPAs that the African countries have to implement. The study should therefore also inform the best way in which **trapca** can best support and address capacity gaps of African countries in line with the highlighted Continental, Regional, Plurilateral and Bilateral agreements African LDCs and LICs are signatory to. With respect to the AfCFTA, the Secretariat puts emphasis on both conceptual and practically oriented training to address the implementation of the AfCFTA agreement and its protocols. This may imply that academic courses should be complemented with tailored executive courses to address both conceptual and practical capacity needs of the officials. The insights from the study will therefore inform the curriculum content and appraise relevance of existing academic courses in a changing trade policy climate as well as possible approach for tailored courses. The study will further inform the training delivery methods and that address the existing and emerging capacity gaps that hinder effective implementation of the trade agreements for African countries. In addition, the study must consider how to encourage and engage females in trade and identify themes that will inform content and relevance of the training interventions. In this regard, the study should foster the sustainability of **trapca**.

3. Specific Objectives

To facilitate realisation of the highlighted overall objective, the Consultant must deliver on the following specific objectives:

- a) Identify existing and potential trade agreements that can be expected to be most relevant and important in Africa in the next ten years
- b) Provide an analysis of the capacity gaps arising from existing and potential trade agreements at multilateral, regional and bilateral levels., This should include but not limited to WTO agreements on goods, services, intellectual property, trade facilitation, Sanitary and Phytosanitary (SPS) measures, technical barriers to trade, fishery access and fisheries subsidises; REC agreements; Economic Partnership Agreements (EPAs); bilateral

- agreements; double taxation agreements, investment protection agreements, agreements on biodiversity and illegal wildlife trade, hazardous waste management, circular economy.
- c) Provide an analysis of the future outlook and emerging trends that will impact trade outcomes with specific focus on the AfCFTA process and implementation shaping the African trade regime.
 - d) Identify how trapca can best participate and contribute to the existing trade agreements at multilateral, AfCFTA implementation.
 - e) Identify the key roles and responsibilities of main players and institutions in negotiating, implementing, enforcing, and monitoring and evaluating trade policies in Africa.
 - f) Tease out nuanced perspectives on institutional direction and underlying drivers of change on trade policy and regulations in the next 10 years that influence the trade outcomes in Africa.
 - g) Identify emerging trade and trade related capacity gaps relative to current trapca academic training programmes that should inform the content of the curriculum and relevance of the programmes.
 - h) Identify priorities of relevant stakeholders involved in trade issues.
 - i) Provide recommendations on areas to be incorporated into the trapca MSc Degree curriculum.
 - j) Provide suggestions and recommendations on the nature and methods of delivery for capacity building targeting the trade related capacity needs identified by the study.
 - k) Generate a strategy framework for trapca's interventions over the next 10 years.

4. Scope of Work

In line with the objectives, the scope of work for the consultancy assignment is as follows:

- a) Undertake desk research, analysis, and virtual interviews of key stakeholders.
- b) Carry out stakeholder analysis
- c) Undertake survey and analysis of key stakeholders to inform future needs and priorities
- d) Carry out gap analysis in the area of trade policy capacity building and provide
- e) Map out the issues and identify priorities
- f) Generate clear strategies that inform **trapca's** work program for the next ten years.
- g) Find possible ways of enhancing **trapca** training programmes and the training system so that it is responsive to the changing trade policy and trade law needs of the industry/country in the medium term.
- h) Determine what future skills will be required by officials from the public, private and civil society involved in trade issues to mainstream trade and effectively implement ratified agreements.
- i) Identify institutional capacity challenges and gaps involved in trade related activities.
- j) Establish potential collaborative options that will strengthen **trapca's** role as a go to service provider for training and academic education in trade policy and trade law.
- k) Obtain the opinions of employers on the emerging capabilities expected of their officials.

5. Methodology

The Consultant will be expected to come up with a sound methodology to carry out the study. This will be one of the areas of agreement during the inception meeting. At the minimum, the Consultant will be expected to ensure that the methodology adopted facilitates a capacity needs assessment that is participatory, exploratory, consultative, constructive, and specifically aimed

at providing a systematic way of evaluating the current and future capacities in trade policy, trade law and trade facilitation. Further, the methodology adopted is to ensure that the capacity assessment recognises the multiple dimensions of capacity that African countries will need to effectively benefit from trade, and therefore should go beyond individual capacity but also include organizational capacity.

In line with the above, the Consultant will consequently:

- a) Develop a work plan for undertaking the assignment in consultation with the client
- b) Conduct a literature review of appropriate documentation on **trapca**'s mandate to familiarize themselves with the vision, mission, and objectives of the Centre.
- c) Develop, present, and agree with **trapca** a concrete scientific methodology for implementing the study that clearly spells out the data collection instruments and the indicators they measure, the data collection approach that includes an assessment of the strengths and weaknesses, guidelines for data collection and the robustness of the data collected, and the analytical approach that clearly identifies future skills required by implementers of trade agreements.
- d) Collect reliable data in the field from key stakeholders virtually that should include UNCTAD, UNECA, WTO, WCO, Business Councils, AfCFTA Secretariat, AUC, REC Secretariats, trade policy centres and universities, think-tanks including ECDPM, tralac, CUTS.
- e) Analyse data, compile, and present draft report
- f) Present the findings of the study to **trapca** and produce the final report to incorporate comments and suggestions from **trapca** staff and stakeholders

6. Roles and Responsibilities

7.1 The Consultant

The Consultant will be responsible for designing and delivering the forward-looking study through a well-structured report containing clear indications of the future trade related capacity needs and how the same can be sustainably addressed. In addition, based on the study results, the Consultant will be expected to provide recommendations aimed facilitating **trapca**'s curriculum, courses, and mode of delivery to remain relevant to the changing trade policy environment.

7.2 ESAMI-**trapca**

ESAMI- trapca will be responsible for:

- a) Review and approve the work plan, methodology and instruments for the study
- b) Meet the relevant costs related to this consultancy as agreed and stipulated in the contract
- c) Review and approve the synthesis draft and final report and other outputs as stipulated in the deliverables section.

7. Deliverables

- a) Inception meeting with **trapca**
- b) Detailed work plan for the assignment, with milestones.

- c) Inception report 5 days after the inception meeting. The consultant will be guided and given contact details by trapca on key institutions to engage such as UN Agencies, WTO, WCO, AfCFTA, REC secretariats, trade policy centres, and universities, think tanks such as ECDPM, tralac.
- d) Clear methodology: study instruments and indicator measurement, analytical approach, and robustness check approach
- e) Draft report, and presentation to **trapca** which shall not be more than 60 pages.
- f) Final report, incorporating suggestions and recommendations
- g) Data files in printed and electronic format and completed questionnaires.

9. Time Frame for the Assignment

Timeline for the revision and enhancement of the project document will be as follows:

- First draft should be received by **trapca** by 14th Oct 2022
- Final version should be received by **trapca** by 31st Oct 2022

10. Evaluation Criteria

The proposals will be evaluated based on the following criteria.

No.	EVALUATION CRITERIA	Max points
1	Experience of the consulting team in a related assignment (provide evidence of completion of particularly relevant assignments and should be supported by consultants' reference letters and their contacts)	20
2	Adequacy of the proposed workplan and methodology in responding to the ToR	45
2.1	Proposed techniques and methodologies appropriate for the assignment	35
2.2	Work plan (linkage with methodologies, milestones /outputs)	10
3	Qualifications and Competences of Key Staff for the assignment in accordance with the ToR	35
3.1	Team leader	15
3.2	Other experts	20
4	Total	100

Note: Minimum qualifying mark of 70% shall be considered.

11. Review Procedure / Monitoring

ESAMI-trapca shall review all outputs of the study. The success of this project will be judged by the delivery of the required outputs and the fulfilment of the study objectives.

12. Qualifications and experience

The consultant is expected to deploy key staff with clear experience in undertaking similar studies, with a good exposure to trade issues and demonstrated survey data collection and

survey research analysis with a clear publication record. The qualifications and experience of the consultant should meet the following at the minimum.

Qualification: Advanced university degree in economics, trade, trade policy tertiary education, development, public administration, education, or related field

Experience: At least 10 years of experience in conducting capacity gaps assessments preferably in areas of trade. Demonstrated knowledge of tertiary education in trade policy, trade law, trade facilitation. Practical experience in trade policy formulation and implementation at the national and regional level. Experience in trade in gender dimensions and with insights on the trade regime for African countries based on the existing multilateral, regional, plurilateral agreements and current AfCFTA process is desirable. Solid work experience in Africa, preferably in different countries and for longer time periods.

Language: Fluency in oral and written English is compulsory. Ability to communicate in official languages of the AU, especially French is an advantage.

CVs of lead consultant and experts should be appended to the technical proposal.

13. Evaluation of Proposals

Technical proposals will be evaluated against the following criteria:

- a) Clear articulation of capacity, skill, and innovative approaches to carry out the assignment
- b) Demonstrated experience and competency in conducting case studies of a regional magnitude especially in Africa.
- c) Demonstrated experience in survey data collection, analysis, and publications
- d) Demonstrated analytical and report writing skills and experience;
- e) The organizational/individual competency to deliver the services including ability to organize and manage teams
- f) Clear work plan and articulation of expected methodologies and outputs
- g) Prior experience in consulting for donor funded projects

14. Reporting

It is the responsibility of consultant to ensure timely and quality reporting for each phase and deliverables in the assignment. The final report should not be more than 60 pages of content. All reports will be submitted to the Head of Centre (**trapca**). The reports will be reviewed by management and also by an external peer review team.

The proposal submission address:

Prof. Bonard Mwape
Director General ESAMI
ESAMI
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Arusha, Tanzania

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Proposals with CVs must be submitted no later than 1600hrs on Friday, 16th Sep 2022.